

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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SHUAIB O'NEILL,

Plaintiff,

**STIPULATION OF
DISMISSAL WITH
PREJUDICE**

-against-

17-CV-5762 (AMD)(ST)

THE CITY OF NEW YORK, JOSEPH CRUZADO,
KEVIN MATTHEWS, and LIEUTENANT SCHLEYER,
Individually and as Members of the New York City Police
Department,

Defendants.
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WHEREAS, Plaintiff Shuaib O'Neill ("Plaintiff") commenced this action by filing a Complaint, on or about October 2, 2017, alleging claims of malicious prosecution, denial of due process and right to a fair trial, and negligent hiring, training and supervision;

WHEREAS, Plaintiff named the City of New York, Jason Schleyer, Kevin Matthews, and Joseph Cruzado as defendants;

WHEREAS, Kevin Matthews and Joseph Cruzado were served on or about October 10, 2017, and Jason Schleyer was served on or about October 23, 2017;

WHEREAS, defendants Jason Schleyer, Kevin Matthews, and Joseph Cruzado have denied any and all liability arising out of Plaintiff's allegations; and

WHEREAS, Plaintiff now seeks to voluntarily dismiss all claims against defendants Jason Schleyer, Kevin Matthews, and Joseph Cruzado.

NOW, IT IS HEREBY STIPULATED AND AGREED, by and between the parties, pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), as follows:

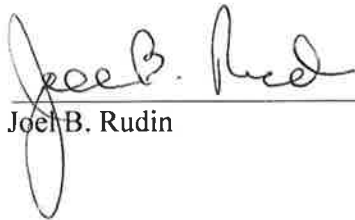
1. The above-referenced action is hereby dismissed against defendants Jason Schleyer, Kevin Matthews, and Joseph Cruzado, **with prejudice**, and without any admission of liability or wrongdoing.

2. Plaintiff agrees to dismissal of all claims arising out of the events alleged in the Complaint in this matter that were asserted or could have been asserted on behalf of plaintiff Shuaib O'Neill against defendants Jason Schleyer, Kevin Matthews, and Joseph Cruzado, and their successors and assigns, and to release defendants Jason Schleyer, Kevin Matthews, and Joseph Cruzado, and their successors and assigns, from any and all liability, claims, or rights of action alleging a violation of plaintiff's civil rights and any and all related state law claims, from the beginning of the world to the date of the General Release, including claims for costs, expenses, and attorneys' fees.

Dated: New York, New York
August 6, 2020

JOEL B. RUDIN, ESQ.
Attorney for Plaintiff
152 West 57th Street, Eighth Floor
New York, NY 10019

By: _____



Joel B. Rudin

JAMES E. JOHNSON
Corporation Counsel of the
City of New York
Attorney for Defendants
100 Church Street,
New York, New York 10007

By: _____


Joanne M. McLaren

SO ORDERED:

Dated: New York, New York
_____, 2020

HON. ANN M. DONNELLY
UNITED STATES DISTRICT JUDGE